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Date: January 13, 2004

Docket No.: 0020-5213P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/786,681 filed on April 30, 2001,
the entire contents of which are hereby incorporated by
reference,
by

SUGASAWA, Toshinari

HIDAKA, Jun

for

**RECOMBINANT HUMAN SM-11044-BINDING RECEPTOR PROTEINS EXHIBITING
LIGAND-BINDING ACTIVITIES, AND THEIR USES**

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).

13281 U.S. PTO
011304

031356 U.S. PTO
10/755466

011304

13281 U.S. PTO
011304

Docket No. 0020-5213P

2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	1-20 =	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	1-3 =	0	x 86 = \$0.00	x 43 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$770.00	\$0.00

3. ☒ A check in the amount of \$770.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☒ Enclosed is/are one (1) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/786,681 on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to Sumitomo Pharmaceuticals Company Limited.
8. ☒ A Preliminary Amendment is enclosed.
- 9a. ☐ Priority of Application No(s). _____ filed in _____ on _____ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on _____.
- 9b. ☒ Priority of International Appln. PCT/JP99/04808 filed on September 6, 1999 under the Patent Cooperation Treaty and Japanese Application No. 253771/1998 filed

in Japan on September 8, 1998 under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

11. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or
Customer No. 02292

12. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/786,681 in order to establish co-pendency with the present application.

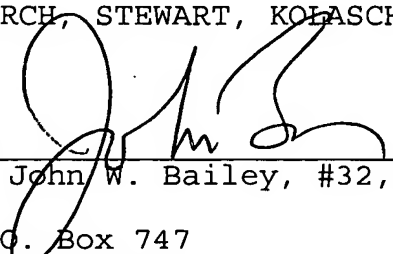
13. ☒ Also enclosed herewith is the following:


Sequence Listing

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
John W. Bailey, #32,881


JWB/KLR:trb
0020-5213P

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Attachment(s)